

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

In re: JOSEPH CAREY HODSDEN

Case No. 19-74385
Chapter 7

Debtor.

NEWREZ LLC D/B/A SHELLPOINT
MORTGAGE SERVICING,

Movant,

v.

JOSEPH CAREY HODSDEN,

Debtor,

AND

THOMAS B. DICKENSON,
Trustee,

Defendants

RESPONSE TO MOTION FOR RELIEF FROM AUTOMATIC STAY

COMES NOW Joseph Carey Hodsden (the “Debtor”), by counsel, and in response to the Motion for Relief from Automatic Stay filed by the Plaintiff, states as follows:

1. There are no allegations in paragraph 1, and therefore no response is required.
2. The Debtor admits that estimated payoff looks accurate but the Debtor reserves the right to challenge the payoff amount. The Debtor admits that Exhibit B is a true copy of a note signed by the Debtor. The Debtor admits that the Note is

Karen M. Crowley, VSB No. 35881
Crowley, Liberatore P.C.
Town Point Center, Suite 604
150 Boush Street
Norfolk, VA 23510
Telephone – (757) 333-4500
Counsel for the Debtor

secured by the deed of trust attached as Exhibit C. The Debtor denies the remaining allegations to the extent they are inconsistent with the terms of the Note and Deed of Trust.

3. The Debtor is without sufficient information to admit or deny whether Newrez is the servicer.
4. Admitted.
5. Admitted.
6. Admitted.
7. Denied. The Debtor has received several offers for the purchase of the Property and the Debtor is in the process of presenting a loan modification so that he has sufficient time to complete a sale of the Property. In addition, the Debtor is keeping the Chapter 7 advised as to the options for the sale of the Property and understands the Chapter 7 Trustee is in the process of evaluating whether to sell the Property for the benefit of the Estate.

WHEREFORE, the Debtor asks the Court to deny the relief sought by the Plaintiff and grant him such other relief as is just.

Dated: January 13, 2020

JOSEPH CAREY HODSDEN

By: /s/ Karen M. Crowley
Of Counsel

Karen M. Crowley, VSB No. 35881
Crowley, Liberatore P.C.
Town Point Center, Suite 604
150 Boush Street
Norfolk, VA 23510
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Counsel for the Debtor

CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2020, a true copy of the foregoing Response was filed electronically which caused service upon the Chapter 7 Trustee and also served via first class mail, postage prepaid upon:

Sara A. John, Esq.
M. Richard Epps, P.C.
605 Lynnhaven Parkway
Virginia Beach, VA 23452

/s/ Karen M. Crowley